

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

for the

District of Nebraska

Division

Case No.

4:21CV 3040

(to be filled in by the Clerk's Office)

HEATHER M. CLOSSER

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

P.C.C.W. / HKT TELESERVICES INC. ET AL

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2021 FEB 23 PM 3:00

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

HEATHER M. CLOSSER

Street Address

96706 Lamont Drive

City and County

Lincoln, Lancaster

State and Zip Code

Nebraska, 68528

Telephone Number

402-432-7670

E-mail Address

HMC7707@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Defendant No. 1

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

HKT Teleservices (US) Inc.

3400 Southpark Pl. Ste F
Grove City, Franklin
Ohio, 43123
614-280-1600

Defendant No. 2

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

P.C.C.W. Teleservices (US) Inc. c/o HKT Teleservi

28605 Ranney Pkwy
Westlake, Cuyahoga
Ohio, 44145

Defendant No. 3

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

HKT Teleservices Inc. c/o Vincent J. Tersigni
Jackson Lewis

Park Center Plaza 1, Ste 400 6100 oak tree B
Cleveland, Cuyahoga
Ohio 44131

Defendant No. 4

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Jewel Thomas

Human Resources Manager

3400 Southpark Pl Suite F
Grove City, Franklin
Ohio, 43123
614-652-6351

jewel.thomas@hktteleservices.us

Defendant 5. Angel Slaughter
Human Resources Generalist
3400 Southpark Place Ste F
Grove City, Franklin
Ohio 43123
330-432-2227
Angel.Slaughter@hktteleservices.us

Defendant 6. Angel Slaughter
Human Resources Generalist
8431 Atwood Lake NE Road
Mineral City, Tuscarawas
Ohio 44656-9002

Defendant 7. Doug Garrison
Site Director
6501 Sundance Ct.
Lincoln, Lancaster
Nebraska 68512
402-217-2939

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	P.C.C.W/HKT Teleservices Inc.
Street Address	5201 R. Street
City and County	Lincoln, Lancaster
State and Zip Code	Nebraska, 68504
Telephone Number	402-434-2626

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Other federal law (specify the federal law):

Federal employment law and protections

- ☒ Relevant state law (specify, if known):

See attachment

- ☐ Relevant city or county law (specify, if known):

— Relevant State Law -(attachment)

1. intentional infliction of emotional distress
2. negligent infliction of emotional distress
3. breach of contract
4. breach of covenant of good faith and dealing
5. breach of Nebraska wage and hour laws
6. personal harassment
7. Sexual harassment
8. breach of personal civil rights
9. Fraudulent misrepresentation
10. negligent misrepresentation
11. interference with business relationship
12. interference with economic and business expectancy.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s) on or around
12-5-2018, 7-25-2019, 10-2-2019, 10-3-2019, 11-19-2019, 12-10-2019

C. I believe that defendant(s) *(check one)*:

- ☐ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☐ race _____
- ☐ color _____
- ☒ gender/sex favoritism and unequal pay
- ☐ religion _____
- ☐ national origin _____
- ☐ age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*
- ☐ disability or perceived disability *(specify disability)* _____

E. The facts of my case are as follows. Attach additional pages if needed.

AFFIDAVIT OF INFORMATION

DATE: 02/22/2021

I, Heather Closser was engaged in a protected activity under Title VII Civil Rights Act. (12/2018) I reported a former supervisor (Jared Willams) for sexual harassment towards another employee (Kristina DellaCroce) to the site director Doug Garrison, of HKT in Lincoln Nebraska. After making this report to the site director I was punished/retaliated against as Doug Garrison took an adverse action against me and I was made to do the supervisors duties plus my own while he was on a 3 day suspension. I was subject to pervasive harassment from that point on.

I asked Doug Garrison for our HR office and was told by Doug Garrison that he keeps everything onsite and handles it. Upon this continuing, I discovered we had an HR representative in our corporate office in Ohio. (July 25 2019) I reached out to Angel Slaughter (HR) in Ohio. I made a verbal and written complaint to her about the details of the harassment and retaliation that I was made to endure from the site director (Doug Garrison). Angel Slaughter assured me that I was protected from any type of retaliation for reporting these actions.

In another incidence I reached out to Angel Slaughter (HR) again about now being subjected to a hostile work environment because of the site directors (Doug Garrison) retaliating behavior towards me for reaching out to her (10/2/2019 & 10/3/2019). Angel Slaughter then stated to me that she will have to inform her boss (Jewel Thomas) in Ohio about this now. I reached out to Angel Slaughter on three separate occasions to find out if she had any information about the investigation's that I had already reported verbally, written and what was being done.

Not one time did Angel Slaughter respond back to me pertaining to these matters which was in violation of their own policies. On or around (11/14/2019), Jewel Thomas (HR Angels boss) came to the branch in Lincoln Nebraska. Jewel Thomas and I had a meeting about the situations that were still going on at the site. Jewel Thomas informed me that she had not been notified about the events taking place here with Doug Garrison and his behavior towards myself and others. **Jewel Thomas assured me that I was protected** from any retaliation and this would not be part of my tenure (5yrs 11months 10days) with the company. When I asked Jewel Thomas why Angel Slaughter did not inform her of the actions taking place in the Lincoln branch like she told me she would, she advised me to contact her from now on and she would investigate the matters. I believe this was obstruction of the investigation on Angel Slaughter behalf. After five days from the meeting with Jewel Thomas,(11/19/2019) I was called into a conference call with Jewel Thomas, Angel Slaughter and Jeff Hurl (whom I was told was

V.P. for HR corporate office in Ohio turns out he was head of finance department). Again Jewel Thomas said she had no knowledge of these matters and Jeff stated he did not either. After I asked Angel Slaughter why she neglected to tell them what was/still happening at the Lincoln site, Angel Slaughter raised her voice at me. Nothing came about that meeting of the minds.

On 12/10/2019 I was called into the office with Jewel Thomas on a conference call. She stated Jeff Hurl was on the call with her (No response from Jeff Hurl). Jewel Thomas told me there was not a write up for the supervisor that got suspended for sexual harassment. I assured her there was because I and another witness were there and can testify it happened. I believe the investigation was tampered with because the evidence was no longer in the file. Jewel Thomas made the comment "well the write up is not there now". At this point I was subject to adverse employment action again while being protected by Title VII of Civil Rights Act and the Supreme Court law of retaliation. I was demoralized for acting in good faith by reporting illegal activities by my site director (Doug Garrison) and HR representatives. They caused intentional infliction of emotional distress. HKT and the HR department wrongfully discharged my employment because of my "attendance and behavior" they said. I was subject to pervasive harassment, neglect from all parties. Let the record show that I did honorably try to reach out to settle this matter via registered mail (reg: 9589 3129 4491 9318 3303 31) to Jeff Hurl. As he did not go pick it up.

Any other information may be obtained by me for proof and through company email.

"w/o prejudice"

Heather Closser UCC 1-308

Copy

Affidavit of Truth.

To whom this may concern,

I Kristina DellaCroce would like you to know what took place when I tried to file a sexual harrasment against a fellow colleague. When I confronted Doug about the situation he told me he would handle it. Doug's way of handling it was writing me up for being unprofessional to a supervisor on the floor on November 19th, 2018. Than proceeds to sit down with said colleague laughing, joking, and goofing around. Than that colleague got sat for a day. No write up, no talk about why he was actually in there, Doug told him "he needed to becareful on what he said on the floor, and who he said it too" Not once did Doug^{tell} him I wanted to file a sexual ~~ass~~ harrasment in the work place against him. Doug avoided ever telling or doing anything about it. Even when I went to my fellow supervisor Heather, Heather even provided a witness and still only got a 3 day suspension. Doug did not care about was or happened to me. Than I finally said something about filing a sexual harrasment suit, than something hapened but did not happen correctly. This is first hand Knowledge.

Kristina DellaCroce

State of Nebraska,

County of Lancaster

On the 12th day of December, 2019 before
me personally appeared Kristina DellaCroce
whom I know personally, and acknowledged
that he/she executed the same



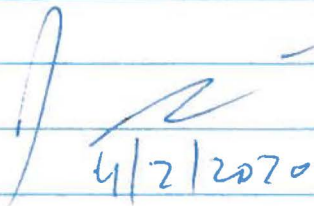
State of Nebraska - General Notary
LANE HAMES
My Commission Expires
January 7, 2023

Copy

Information of truth April 2nd 2020.

I, Josh Sievers, witnessed Jared Williams grab Kristina Dellacore's behind. I was asked to come into Doug's office to explain what I saw on or during a day in December 2018. Doug explained to Jared he was on a 3 day suspension for sexual harassment. Spoke with Jared afterwards and he confirmed the suspension.

I, Josh Sievers affirm under the penalty of Perjury that the statement recited is true to the best of my knowledge.
On this second day of April 2020


4/2/2020

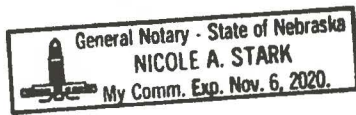
NOTARY ACKNOWLEDGEMENT

STATE OF Nebraska
COUNTY OF Lancaster

Before me, the undersigned, a Notary Public in the for said County and State, on this day,
personally appeared Joshua Sievers, known to me to be the person
whose name appears on the following documents:

- ☐ Promissory Note
- ☐ Notice
- ☐ Automatic Transfer Authorization
- ☐ Right to Receive a Copy of an Appraisal
- ☐ Agreement to Provide Insurance
- ☐ Initial Escrow Account Disclosure Statement
- ☐ Settlement Statement
- ☐ Fresh Start Loan Agreement
- ☒ Other: testimony
to Statement
- ☐
- ☐
- ☐

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 2nd day of April, 2020



Nicole A. Stark
Notary Public



1st time
follow up w/
Angel



Closser, Heather

To: hmc7707@yahoo.com

10/25/2019 1:08 PM



From: Closser, Heather

Sent: Friday, October 25, 2019 1:07 PM

To: Angel Slaughter

Subject: follow up with 1st & 2nd occurrence

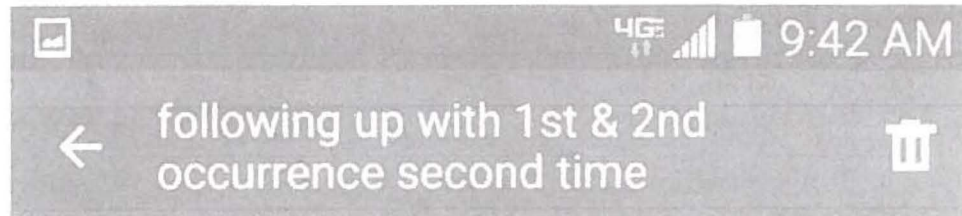
Angel, have you finished with the first occurrence yet?
Also how is the second one going? Just wondering
where these are. Thank you for your time.

Heather Closser | Senior Team Leader

HKT Teleservices (US) | 5201 R Street | Lincoln,
Nebraska, 68504

Office Main: (402) 434-2626 ext. 2226

Email: heather.closser@hktteleservices.us



*Last time we
up w/ Angel!*



Closser, Heather

To: Angel.Slaughter@hkttele...

10/28/2019 3:18 PM

Good afternoon Angel, have you finished with the first occurrence from July yet? Also how is the second one going? Just wondering where these are. Thank you for your time.

Heather Closser | Senior Team Leader

HKT Teleservices (US) | 5201 R Street | Lincoln,
Nebraska, 68504

Office Main: (402) 434-2626 ext. 2226

Email: heather.closser@hktteleservices.us

Website: www.hktteleservices.com

Please consider our environment before printing this email.

July 25 2019, October 7 2019

3rd time follow up
with Angel



Closser, Heather

To: Angel.Slaughter@hkttele...

11/13/2019 7:03 PM

Angel, I am now reaching out for the third time about these two incidents. Are they still under investigation...? Per the company's policy and handbook I should have received a response back within 5 working days, 15 working days if the investigation was to go any longer. You have failed to inform me or update me on either of the first or second incidences that have occurred here in the Lincoln Branch at HKT. I am asking with regards and respect to the company that you respond back to me within 24 hours of this notice.

Closser, Heather

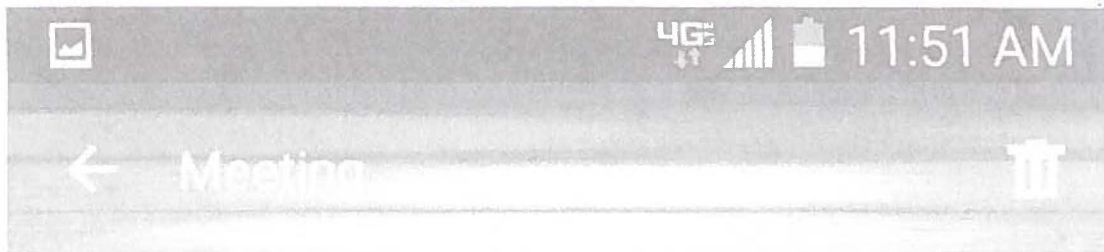
HEATHER MARIE CLOSSER

D.B.A. File Number : 1082415000029

C/O 706 Lamont Drive

Lincoln, Nebraska [68528]

Sent from my Verizon Wireless 4G LTE smartphone



Replied to on 11/14/2019 11:29 AM



Jewel Thomas

To: heather.closser@hkttel...
11/14/2019 11:18 AM

SHOW IMAGES

Heather,

Are you able to come to the board room/conference room to see me—will be a short meeting, thank you.

Jewel Thomas | Human Resources Manager

HKT Teleservices (US) | 3400 Southpark Place | Suite F | Grove City, Ohio 43123

Office Main: (614) 280-1600 ex. 3051 | Direct: (614) 652-6351

Email: [jewel.thomas@hkttel...@hkttel...services.us](mailto:jewel.thomas@hkttel...)

Website:

www.hkttel...services.com

Description:

Description:



read and told me to go thru her from now on. I would not be punished and it was
separate my time.

PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL

PRIORITY MAIL
POSTAGE REQUIRED

		Retail
P	US POSTAGE PAID	
	\$15.60	Origin: 68504 11/14/19 3051630504-55
PRIORITY MAIL 2-DAY®		
RESTRICTED DELIVERY		0 Lb 4.00 Oz 1004
EXPECTED DELIVERY DAY: 11/18/19		
SHIP TO:		C010
JEFF HURL HKT TELESERVICES 3400 SOUTHPARK PL STE F GROVE CITY OH 43123-4857		
USPS SIGNATURE TRACKING NUMBER		
		
9589 3129 4491 9318 3303 31		

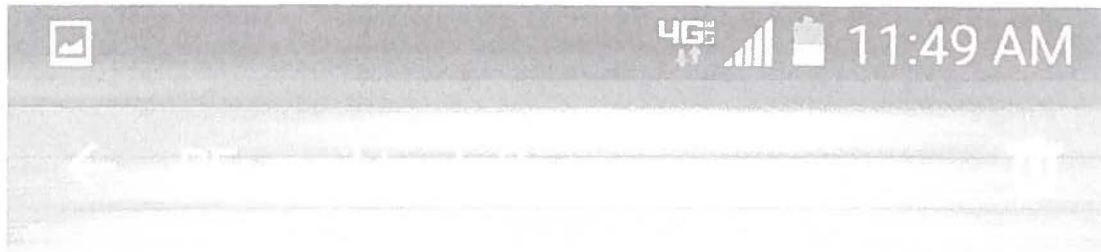
FROM: Closser, Heather
C/O 706 Lamont Drive
Lincoln, Nebraska [68528]

RESTRICTED DELIVERY TO: RESTRICTED DELIVERY
-R-T-S- 43123-REG-IN *95 12/04/19
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER
RES

EP14F July 2013

VISIT US AT USPS.COM®





Jewel Thomas

To: heather.closser@hkttel...
11/19/2019 11:11 AM



Hi Heather,

I spoke with Jeff earlier and it has not been received in GC as of yet—can you check any tracking that you have to figure out where it went.

Jewel Thomas | Human Resources Manager
HKT Teleservices (US) | 3400 Southpark Place | Suite F | Grove City, Ohio 43123
Office Main: (614) 280-1600 ex. 3051 | Direct: (614) 652-6351

Email: jewel.thomas@hkttel services.us

Website:

www.hkttel services.com

From: Closser, Heather

<heather.closser@hkttel services.us>

Sent: Tuesday, November 19, 2019 12:03 PM

To: Jewel Thomas

<Jewel.Thomas@hkttel services.us>

Subject: mail to Jeff





Jewel Thomas

Jewel.Thomas@hktteleservi...

11/19/2019 11:14 AM

To

Jeff Hurl Angel Slaughter



Closser, Heather

SELECT OPTION

Discussion

11/19/2019 11:45 AM - 12:15 PM

Location

Dial in: 614-652-3053,, 5648

Description

Heather,

**Please come to the conference room at 11:45, thanks
in advance.**

Nebraska Department of Labor
Office of Unemployment Insurance
PO Box 94600
Lincoln, NE 68509-4600

QUALIFYING SEPARATION DETERMINATION

Claimant/Job Seeker:
HEATHER CLOSSER

Claimant SSN:
XXX-XX-5629

Claimant ID Number:
0000120952

Claim Effective Date (BYB):
12/29/2019

Claim Ending Date (BYE):
12/26/2020

Heather M Closser
706 Lamont Dr
Lincoln, NE 68528-0000

IMPORTANT INFORMATION ABOUT YOUR UNEMPLOYMENT CLAIM QUALIFYING SEPARATION DETERMINATION

Mail Date: 01/28/2020

We have completed a review and investigation of your claim for unemployment benefits referenced above. We have determined that you were discharged from your job on 12/10/2019. The evidence presented does not support a finding of misconduct in connection with the work. No disqualification is assessed on this separation.

The employer, P C C W TELESERVICES (US) INC is chargeable for benefits based on wages paid for this employment.

This qualification is effective **12/29/2019**.

Please see the full text of the applicable law, Neb. Rev. Stat. § 48-628.10.

You have the right to appeal this determination.

You have 20 days from the mail date on this letter to file an appeal. This means your appeal **must be received by 02/17/2020**. If you do not make that deadline, you lose the right to appeal this determination.

Want to appeal this determination?

See the back of this notice for instructions on how to file an appeal and other important information. **Filing an appeal online through NEworks is the fastest option.** If you choose to submit your appeal by email, fax or postal mail, check "I appeal" below, print and sign your name, and provide information requested.

☐ **I appeal** Signature _____
 Name (please print) _____
 Reason for Appeal _____
 Daytime phone number _____
 Address (if different than above) _____



**INSTRUCTIONS AND OPTIONS FOR FILING AN APPEAL
AND OTHER IMPORTANT INFORMATION**

APPEAL RIGHTS: If you do not agree with this determination, you have the right to appeal. Your appeal must be received within twenty (20) days of the mailing date that is located near the top of this determination. Appeals may be filed online at NEworks.nebraska.gov, faxed to 1-402-471-1734, emailed to NDOL.APPEALS@nebraska.gov, or mailed to: Nebraska Department of Labor, Appeal Tribunal, PO Box 94600, Lincoln NE 68509-4600.

You have the right to legal representation at your own cost, and to present testimony and evidence relevant to your appeal. You may request to subpoena witnesses and records. Appeal hearings are conducted by telephone. If you fail to report your telephone number or follow the telephone hearing guidelines, you will not be called and your appeal will be dismissed. Late appeals will only be considered if good cause is shown. Before filing an appeal, you may request reconsideration and possibly redetermination based on new information. Requesting a reconsideration of the determination will not delay or extend the statutory 20-day appeal deadline.

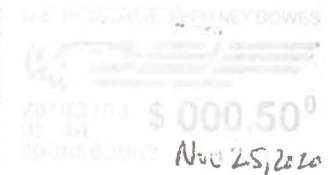


ST. LOUIS DISTRICT OFFICE
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
ROBERT A. YOUNG BLDG., ROOM 8.100
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103

OFFICIAL BUSINESS

SAINT LOUIS MO 630

25 NOV 2020PM 5 L



Heather M. Closser
706 Lamont Dr.
Lincoln, NE 68528

68528-144006



EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Heather M. Closser**
706 Lamont Dr.
Lincoln, NE 68528

From: **St. Louis District Office**
1222 Spruce Street
Room 8.100
Saint Louis, MO 63103



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

32C-2020-00005

Joseph J. Wilson,
State & Local Program Manager

(314) 798-1930

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission
Joseph Wilson
Director, St. Louis District Office
 1140 Chestnut Street, Suite 1000
 St. Louis, MO 63102
 Office email: joseph.wilson@eeoc.gov, 314-475-4856
 Date: 2020.11.25 06:48:56 -0500

November 25, 2020

Enclosures(s)

Lloyd J. Vasquez, Jr.,
District Director

(Date Mailed)

cc:

HKT TELESERVICES, INC.
c/o Vincent J. Tersigni
JACKSON LEWIS
Park Center Plaza I, Ste. 400
6100 Oak Tree Blvd.
Cleveland, OH 44131

Enclosure with EEOC
Form 161 (11/16)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit **before 7/1/10** -- not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

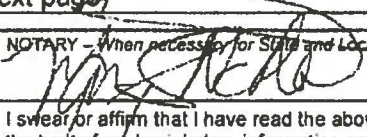
If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <input checked="" type="checkbox"/> FEPA 19-1217-034-E-R <input checked="" type="checkbox"/> EEOC 32C-2020-00005	
Lincoln Commission On Human Rights and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) Ms. Heather M. Closser		Home Phone (Incl. Area Code) (402) 432-7670	
Street Address 706 Lamont Dr., Lincoln, NE 68528		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name HKT TELESERVICES, INC.		No. Employees, Members Phone No. (Include Area Code) 101 - 200 (614) 280-1600	
Street Address 3400 Southpark Pl., Ste. F, Grove City OH 43123		City, State and ZIP Code	
Name		No. Employees, Members Phone No. (Include Area Code)	
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 07-11-2019 12-10-2019 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). I was subjected to different terms and conditions of employment, to illegal harassment which created a hostile work environment based on my sex (female), and discharged in retaliation for engaging in a protected activity in violation of Title 11 of the Lincoln Municipal Code, the Nebraska Fair Employment Practices Act, and Title VII of the Civil Rights Act of 1964, as Amended, because: 1. I am female. 2. I have been employed by Respondent since on or about December 30, 2013, working at its 5201 R Street, Lincoln, Nebraska location, and most recently as a Senior Team Lead Manager. I was supervised by Site Manager Doug Garrison. (Continued on next page)			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. Dec 17 2019 Closser, Heather M. 1308 Date Charging Party Signature		NOTARY - When necessary for State and Local Agency Requirements  I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 12/17/19	

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):



FEPA

19-1217-034-E-R



EEOC

32C-2020-00005

Lincoln Commission On Human Rights

and EEOC

State or local Agency, if any

3. Since in or around late 2018, Garrison began to harass me after I reported another male manager who sexually harassed a female employee. This included that Garrison assigned me that male's workload when he was suspended for three days.
4. On or about July 11, Garrison harassed me about work he thought I should be performing even though I had undertaken the duties for several vacant positions. That same day, when I attempted to address issues with him about another supervisor, Garrison informed me that "my opinion didn't matter."
5. I contacted Respondent Human Resources Angel Slaughter on or about July 25 and complained about Garrison's behavior. Slaughter informed me she would contact her supervisor Respondent Human Resources Manager Jewel Thomas. Slaughter then contacted me by email on two occasions to ask how things were going, but no action was taken on my complaint.
6. On or about October 2, Garrison called me a "dummy," and told me to "go outside and to practice slapping [myself]." On or about October 3, I confronted Garrison about his behavior, and he made fun of me by contacting another employee to sarcastically ask her if she was "bothered" by what he said to me.
7. On or about October 7, I complained to Slaughter about what Garrison had said to me, and on or about October 8, I provided her with statements about the issues, which Slaughter was to investigate. On or about October 25 and October 28, I emailed Slaughter to ask about the investigation, but did not hear back from her.
8. On or about November 19, a conference call was held with Thomas, Slaughter, Respondent Human Resources Vice President Jeff Hurl, and me. I was informed my allegations against Garrison could not be validated, but they did find that Garrison had "poor management skills and showed favoritism."
9. At that same meeting, I asked about the complaint I made to Slaughter on or about July 25. Thomas and Hurl stated they knew nothing about it. I was informed they would investigate those allegations.
10. On or about December 10, Thomas terminated my employment for allegations I deny occurred.
11. I believe I was subjected to different terms and conditions of employment and harassed based on my sex, and terminated in retaliation for engaging in a protected activity, and those outside my protected status are treated more favorably.
12. My work performance was satisfactory.



I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Dec 17, 2019

Date

Clematis Weather

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month day, year)

12/17/2019



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
St. Louis District Office

Robert A. Young Building
1222 Spruce Street, Room 8 1100
St. Louis, MO 63103
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
St. Louis Status Line: (866) 408-8075
St. Louis Direct Dial: (314) 539-7800
TTY (314) 425-4130
FAX (314) 539-7894
Website: www.eeoc.gov

November 10, 2020

Heather Closser
706 Lamont Drive
Lincoln, NE 68528

Re: Charge No. 32C-2020-00005
Heather Closser vs. HKT Teleservices, Inc.

Dear Sir or Madam:

This letter acknowledges receipt of your request to have the State Agency's decision in the above-referenced matter reviewed. Your request for review was timely received. Your case will be reviewed and the Equal Employment Opportunity Commission (EEOC) will issue a written decision.

If we may be of further assistance, you may contact me at 314-798-1930.

Sincerely,

**Joseph
Wilson**

Joseph J. Wilson
State and Local Program Manager

Digitally signed by Joseph Wilson
DN: cn=Joseph Wilson, o=Equal
Employment Opportunity Commission,
ou=St. Louis District Office,
email=joseph.wilson@eeoc.gov, c=US
Date: 2020.11.11 16:25:41 -0500

U.S. Equal Employment Opportunity Commission

**Notification & Acknowledgement
of Dual-Filed Charge**

(This Notice replaces EEOC FORM 212-A)

DIGITAL CHARGE SYSTEM

12/17/2019

EEOC Number: 32C-2020-00005C

FEPA Number: 19-1217-034-E-R

This is notice that a charge of employment discrimination, Heather M Closser v. HKT TELESERVICES, INC. was initially received by Lincoln Commission On Human Rights on 12/17/2019, and will be dual-filed with St. Louis District Office.

Pursuant to the work sharing agreement, the Lincoln Commission On Human Rights will Investigate Charge.

The St. Louis District Office acknowledges receipt of the referenced charge, Heather M Closser v. HKT TELESERVICES, INC., and intends to Defer Investigation.

Issued by:

Margie Nichols, I2
Lincoln Commission On Human Rights

Date:

12/17/2019

Acknowledged by:

Joseph J Wilson, S8
St. Louis District Office

Date:

12/17/2019

**Heather Closser
706 Lamont Drive
Lincoln, NE 68528
402-432-7670**

EEOC St. Louis District Office
Attn: Joseph Wilson
1222 Spruce St., Rm. 8.100
St. Louis, Mo 63103

SENT VIA: USPS CERTIFIED MAIL

RE: Closser, Heather v. HKT Teleservices, Inc.
LCHR No.: 19-1217-034-E-R
NEOC No.: 1-19/20-12-51017-RS
EEOC No.: 32C-2020-00005

Mr. Wilson,

Enclosed please find a copy of a NOTICE OF COMMISSION OF DETERMINATION from the City of Lincoln Nebraska, dated October 29, 2020. This letter states "Commission on Human Rights determined there was no reasonable cause to believe discrimination occurred as alleged". I am requesting a review of this finding, as the allegations of retaliation and wrongful termination were not addressed.

Thank you in advance for your time and consideration in this matter and I look forward to hearing from you.

Best Regards,

Heather Closser

cc: Department of Justice
United States Attorney's Office
487 Federal Building
100 Centennial Mall North
Lincoln, NE 68508



Enclosure: Notice of Commission of Determination, dated October 29, 2020

October 29, 2020

Mx. Heather Closser
706 Lamont Dr.
Lincoln, NE 68528

NOTICE OF COMMISSION DETERMINATION

RE: CLOSSER, HEATHER V. HKT TELESERVICES, INC.
LCHR No.: 19-1217-034-E-R
NEOC No.: 1-19/20-12-51017-RS
EEOC No.: 32C-2020-00005

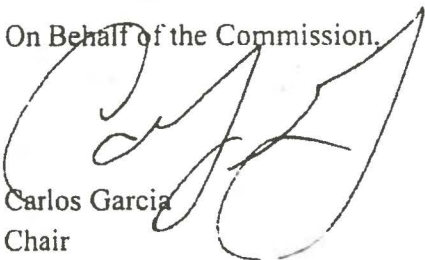
Dear Mx. Closser:

Based on the evidence gathered in this investigation, the Commission on Human Rights determined there was **no reasonable cause** to believe discrimination occurred as alleged. Accordingly, the above proceedings have been terminated by the Commission, the file is closed in accordance with Title 11 of the Lincoln Municipal Code, and this matter remains confidential.

If you do not agree with this determination, you may request a substantial weight review from the U.S. Equal Employment Opportunity Commission. Such a request must be made within 15 days of the date of this notification and be in writing. The request must be mailed to: Attn. Joseph Wilson, EEOC St. Louis District Office, 1222 Spruce Street, Rm. 8.100, St. Louis, MO 63103.

If you have any questions concerning this determination, contact the office at 402-441-7624.

On Behalf of the Commission.


Carlos Garcia
Chair
CG:sc





U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
St. Louis District Office

Robert A. Young Building
1222 Spruce Street, Room 8.100
St. Louis, MO 63103
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
St. Louis Direct Dial: (314) 539-7800
FAX (314) 539-7894
Website: www.eeoc.gov

January 5, 2021

EEOC Charge # 32C-2020-00005
Heather Closser v HKT Teleservice Inc.

Heather M. Closser
c/o 706 Lamont Drive
Lincoln, Nebraska 68528

Dear Heather Closser:

This is in response to your request for a copy of our file(s). Upon receiving the copies, you agree, the information disclosed to you will not be made public or used except in the normal course of a civil action of proceeding instituted under the Statues involving such information.

Thanks for your patience and your copies have been enclosed. I can be reached at (314) 798-1916, Monday through Friday 6:30 am to 4:00 pm, if you need further assistance with this matter.

Please note your complete file is with Lincoln Commission on Human Rights, 555 South 10th Street, Suite 304, Lincoln, NE 68508. (402) 441-7624.

Sincerely,

Brenda Rutledge
Investigator Support Assistant

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

12-17-2019

- B. The Equal Employment Opportunity Commission (check one):

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on (date) 11-25-2020

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Amount to be awarded by Jury, including not limited

Violation of personal fee: \$250,000.

Retaliation Fee: \$250,000.

wrongful termination fee: \$1,000,000.

Pain and Suffering fee: \$250,000.

personal / credit fee: \$250,000.

Exemplary fee: \$250,000.

All court and attorney fees: \$ per court / attorney

Reputable reference for
Future employment

- Reported to Nebraska unemployment that my employment ended on 12-30-2020
I was wrongfully terminated on 12-10-2019

Nebraska Department of Labor
Office of Unemployment Insurance
PO Box 94600
Lincoln, NE 68509-4600

**DISQUALIFYING SEPARATION
DETERMINATION**

Claimant/Job Seeker:
HEATHER CLOSSER

Claimant SSN:
XXX-XX-5629

Claimant ID Number:
0000120952

Claim Effective Date (BYB):
12/20/2020

Claim Ending Date (BYE):
12/18/2021

Heather M Closser
706 Lamont Dr
Lincoln, NE 68528-0000

**IMPORTANT INFORMATION ABOUT YOUR UNEMPLOYMENT CLAIM
DISQUALIFYING SEPARATION DETERMINATION**

Mail Date: **01/06/2021**

We have completed a review and investigation of your claim for unemployment benefits referenced above. We have determined that you were discharged from your job on 12/30/2020 for misconduct in connection with the work. You are disqualified for benefits for the week in which the discharge occurred, plus fourteen weeks. The disqualification for this separation includes a 14-week reduction in total benefits payable.

The employer, P C C W TELESERVICES (US) INC (EAN: 0255430004) is **NOT** chargeable for benefits based on wages paid for this employment.

Per SI - employer indicated the separation reason is termination.

WEEKLY BENEFIT AMOUNT	MAXIMUM DOLLARS PAYABLE	TOTAL DOLLARS REDUCED	BALANCE PAYABLE
\$380.00	\$6,027.52	\$5,320.00	\$707.52

This disqualification is effective **12/27/2020 to 12/18/2021**.

Please see the full text of the applicable law, Neb. Rev. Stat. § 48-628.10.

You have the right to appeal this determination.

You have 20 days from the mail date on this letter to file an appeal. This means your appeal **must be received by 01/26/2021**. If you do not make that deadline, you lose the right to appeal this determination.

Want to appeal this determination?

See the back of this notice for instructions on how to file an appeal and other important information. **Filing an appeal online through NEworks is the fastest option.** If you choose to submit your appeal by email, fax or postal mail, check "I appeal" below, print and sign your name, and provide information requested.

☐ **I appeal** Signature _____
Name (please print) _____
Reason for Appeal _____
Daytime phone number _____
Address (if different than above) _____



**INSTRUCTIONS AND OPTIONS FOR FILING AN APPEAL
AND OTHER IMPORTANT INFORMATION**

APPEAL RIGHTS: If you do not agree with this determination, you have the right to appeal. Your appeal must be received within twenty (20) days of the mailing date that is located near the top of this determination. Appeals may be filed online at NEworks.nebraska.gov, faxed to 1-402-471-1734, emailed to NDOL.APPEALS@nebraska.gov, or mailed to: Nebraska Department of Labor, Appeal Tribunal, PO Box 94600, Lincoln NE 68509-4600.

You have the right to legal representation at your own cost, and to present testimony and evidence relevant to your appeal. You may request to subpoena witnesses and records. Appeal hearings are conducted by telephone. If you fail to report your telephone number or follow the telephone hearing guidelines, you will not be called and your appeal will be dismissed. Late appeals will only be considered if good cause is shown. Before filing an appeal, you may request reconsideration and possibly redetermination based on new information. Requesting a reconsideration of the determination will not delay or extend the statutory 20-day appeal deadline.



VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2.22.2021

Signature of Plaintiff

Printed Name of Plaintiff



HEATHER M. CLOSSER

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address